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U.S. Department of Justice

United States Attorney

Eastern District of Missouri

Thomas F. Eagleton, U.S. Courthouse

OFFICE (314) 539-2200

TRACY L. BERRY
Assistant United States Attorney

111 South 10th Street, Room 20.333
St. Louis, Missouri 63102

FAX (314) 539-2309

March 6, 2013

Mark R. Bahn
330 Water Street
Fenton, Missouri 63026

RE: United States v. Jacob Olson Cause Number: 4:13CR00077 HEA(DDN)

Dear Mr. Bahn:

As you are aware, your client was indicted by the Federal Grand Jury. In order to assist you in the determination of any relevant pre-trial motions to be filed in this case, the government provides notice that it possesses arguably suppressible evidence seized from your client when he was arrested by officers with the City of St. Louis Police Department and during the search of his residence by officers with the same department.

1. DISCOVERY - Pursuant to Rule 16, the following documents have been disclosed: report by Postal Inspection Service; two reports by St. Louis City Police Department; copies of licenses, library cards, and social security card seized from defendant during arrest; copies of mailbox applications dated 2010, 2011, and 2012; photographs of packages found during search of residence; copies of transaction history for mailbox; copy of criminal history; copies of production equipment, six identification documents, and sheet of 9 library cards seized during search; and mailbox service agreement. The government also possesses copies of the state indictment and search warrant which it believes were disclosed to you in the state prosecution. If you prefer to view any of the physical evidence referenced in this letter or the reports, please contact the undersigned so that the government can coordinate viewing with the investigator.

2. ELECTRONIC SURVEILLANCE - The Government did not utilize consensual surveillance in the investigation.

3. CONFIDENTIAL INFORMANTS - The Government did not utilize a confidential informant.

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4. JENCKS MATERIAL - The Government will make all JENCKS material available no later than the Friday preceding trial, conditioned upon the defendant's agreement to make available statements of defendant's witnesses at the same time.

5. GRAND JURY TRANSCRIPTS - The Government agrees to produce all Grand Jury transcripts to the extent they constitute JENCKS material and make them available for inspection.

6. OTHER CRIMES EVIDENCE - The Government agrees to advise the defendant of its intention to use evidence of other crimes during its case-in-chief. The government agrees to make this disclosure prior to the trial of this cause.

7. STATEMENTS OF DEFENDANT - The government is unaware of any statement made by your client.

8. IDENTIFICATION OF DEFENDANT - The government is unaware of any post arrest identification.

9. PHYSICAL EVIDENCE - The Government possesses items of physical evidence seized from the defendant during his arrest.

10. FAVORABLE EVIDENCE - The Government agrees to furnish any and all favorable evidence to the defendant if and when its existence becomes known to the Government.

If you need any further specific information regarding the above matters, or any other matters which will prevent the filing and litigation of any unnecessary pretrial motions, please do not hesitate to call me.

In order to avoid the need of filing motions pursuant to Rules 16 and 26, the Government makes the following requests;

Pursuant to Rule 16(b)(1)(A), (B) and (C), Federal Rules of Criminal Procedure, the United States hereby requests that:

A. The defendant provide the United States, or permit the United States to inspect and copy or photograph books, papers, documents, photographs, tangible objects, or copies thereof, which are within the possession, custody or control of the defendant and which the defendant intends to introduce as evidence in chief at trial.

B. The defendant provide the United States, or permit the United States to inspect and copy or photograph any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with the particular case, or copies thereof,

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within the possession or control of the defendant, which the defendant intends to introduce as evidence in chief at the trial or which were prepared by a witness whom the defendant intends to call at the trial when the results or reports relate to his testimony.

C. The defendant provide the United States a written summary of the testimony that the defendant intends to use under Rules 702, 703, or 705, Federal Rules of Evidence, as evidence in trial, which includes a description of the witnesses' opinions, the bases and reasons for those opinions, and the witnesses' qualifications.

Further, pursuant to the provisions of Rule 26.2 the Government further requests the defendant and his attorney to provide to the Government any statement of defense witnesses that is in their possession and that relates to the subject matter concerning which the witness has testified.

The Government requests a response prior to the hearing date on the motions to establish whether it need to file its request for a court order to enforce compliance.

I thank you in advance for your anticipated cooperation.

Very truly yours,

RICHARD CALLAHAN
United States Attorney

s/ Tracy L. Berry
TRACY L. BERRY
Assistant United States Attorney